

REMARKS

This application has been reconsidered in light of the Office Action dated 01/07/2005 and the references cited therein. Applicant hereby requests reconsideration of the present application in view of the foregoing amendments. In summary applicant has canceled Claim 14 and included the allowable limitations thereof in original Claim 13 to obviate the 35 U.S.C. § 102 rejection of Claim 13. Applicant has also amended Claim 15 to more distinctly claim the method of the present invention.

For convenience of review the following paragraphs correspond to the objections/rejections set forth in the Office Action dated 01/07/05:

Allowable Subject Matter

Claims 1-12 are allowed.

Claims 14-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections – 35 USC § 102

Claim 13 is rejected under 35 U.S.C. 102(e) as being anticipated by Forrest. Forrest teaches a method of manufacturing a planetary gear carrier 116 assembly having a plurality of planet gears 106 installed therein for use in an automatic transmission (automatically controlled differential), said method comprising the steps of: providing a first mating section 86 of a planetary carrier housing including an access opening and a second mating section of said carrier housing; joining said mating sections to assemble said planetary carrier housing (Fig. 1); machining diametrically opposed semicircular cutouts 82 within an inside diameter of said access opening such that a linear dimension measured between said semicircular cutouts is greater than said inside diameter; and inserting a thrust bearing 78 having an outside diameter larger than said inside diameter; and inserting a thrust bearing 78 having an outside diameter larger than said inside diameter of said access opening and less than said linear dimension into said housing via said semicircular cutouts.

Anticipation Standard

The Patent Office is respectfully reminded that the standard for lack of novelty, that is for "anticipation" under 35 U.S.C. § 102(b) is one of strict identity. There must be no difference between the claimed invention and the reference disclosure, as viewed by a person of ordinary skill in the field of the invention. Scripps Clinic and Research Foundation v. Genetech, Inc., 18 U.S.P.Q. 2d 1001, 1010 (Fed. Cir. 1991).

Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. Lindemann Maschinenfabrik GmbH v. American Hoist and Derrick Company, 221 U.S.P.Q. 481, 485 (Fed. Cir. 1984).

Accordingly, applicant has amended Claim 13 to include the limitation of original Claim 14, which is objected to by the Examiner as being dependent upon a rejected base claim, but indicated as allowable subject matter if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant has also amended Claim 15 substituting the term "joining" for the term "capturing" to more distinctly claim the method of the present invention.

For all the reasons given above, applicant respectfully submits that the application is now in full condition for allowance. Reconsideration and withdrawal of the objections/rejections recited in the Office Action dated January 7, 2005 is requested. If any outstanding questions remain, a telephone call from the Examiner to the undersigned would be welcome.

Respectfully submitted,

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